

IN THE  
U.S. PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior application:

Examiner: Davie, James W.

Art Unit: 2828

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

"Express Mail" label no.: EK176606464US

Date of Deposit: 7/14/2003

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By Ruma Easwar

Typed Name: Ruma Easwar

REQUEST FOR A CONTINUING APPLICATION UNDER 37 CFR 1.53(b)

Sir:

This is a request for filing a continuing application under 37 CFR 1.53(b) a  
☐ continuation application of:  
☒ divisional application of:

Application Serial No. 10/013,108 Pending Prior Application  
filed 12/07/2001

Title Moisture Passivated Planar Index-Guided VCSEL

Name of applicant(s) Seongsin Kim; Wilson H. Widjaja; Suning Xie

Copy of Application

- ☒ Enclosed is a copy of the prior application, including the drawings.  
☐ Enclosed is a new specification, including new drawings.

Oath or Declaration

- ☒ Enclosed is a copy of the prior Declaration (37 CFR 1.63(d)).  
☐ Enclosed is a newly executed Declaration (original or copy).

Foreign Priority - 35 USC 119

- ☐ Foreign priority under 35 U.S.C. 119 has been claimed in prior application Serial No. \_\_\_\_\_  
filed on \_\_\_\_\_ in \_\_\_\_\_  
☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_  
filed \_\_\_\_\_  
☐ A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Relate Back - 35 USC 120

This is a ☐ continuation ☒ divisional of copending application Serial No. 10/013,108  
filed on 12/07/2001, the entire disclosure of which is incorporated into this application by  
reference.

☒ The above priority information is also recited in the enclosed Preliminary Amendment.

Inventorship Statement

- ( ) Delete the following named individuals as inventors in this application in accordance with 37 CFR 1.53(b) as a result of a change in the claimed subject matter:

Appointment of Associate Attorney

- ( ) Recognize as Associate Attorney or Agent \_\_\_\_\_  
Registration No. \_\_\_\_\_  
( ) authorization is hereby granted by signature below of the Attorney or Agent of record  
( ) the Associate Attorney or Agent shall not have the authority to appoint other Attorneys or Agents

Communications

- (X) Address all future communications to: Direct telephone calls to:  
AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599  
Pamela Lau Kee  
(408) 553-3059

Fee Calculation

- (X) The filing fee calculated below is for an (X) Utility ( ) Design application, and based on the claims remaining after entry of the enclosed Preliminary Amendment.

CLAIMS AS FILED BY OTHER THAN A SMALL ENTITY				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) TOTALS
TOTAL CLAIMS	9 — 20	0	X \$18	\$ 0
INDEPENDENT CLAIMS	1 — 3	0	X \$84	\$ 0
ANY MULTIPLE DEPENDENT CLAIMS	0		\$280	\$ 0
BASIC FEE: Design ( \$330.00 ); Utility ( \$750.00 )				\$ 750
TOTAL FILING FEE				\$ 750
TOTAL CHARGES TO DEPOSIT ACCOUNT				\$ 750

Charge \$ 750 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,  
Seongsin Kim et al

By Pamela Lau Kee  
Pamela Lau Kee  
Attorney/Agent for Applicant(s)  
Reg. No. 36,184

Date: 14 July 2003

Telephone No.: (408) 553-3059